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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,431	01/22/2004	Shigeharu Imamura	008312-0307821	3197
909	7590	06/30/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			LA, ANH V	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	
			2636	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/761,431

Applicant(s)

IMAMURA ET AL

Examiner

Anh V. La

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/7/05, 3/1/05, 1/22/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 12, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Koo.

Regarding claim 1, Koo discloses an electronic apparatus comprising a main body 10 operable in a first state and a second state, a power switch 4, 40A, at least apart of which is made of a light transmissive member (42), a light emission unit 42, 44, 46, 190A, 192, 194 emitting a light of a first color or a second color, a control unit 160 (column 6, lines 15-50, col. 8, lines 20-45, col. 9, line 1- col. 10, line 5).

Regarding claim 2, Koo discloses the power switch being disposed on an upper surface of the main body (fig. 4).

Regarding claim 3, Koo discloses a display unit, a first position and a second position (fig. 1), and a detection unit (see fig. 1).

Regarding claim 4, Koo discloses a count unit counting a lapse of time and a lapse of a predetermined time (fig. 12).

Regarding claim 5, Koo discloses a keyboard, the power switch being disposed in the space set on an upper side of the key board (figure 1).

Regarding claim 6 , Koo discloses a display unit, a first position and a second position (fig. 1), and a detection unit (see fig. 1).

Regarding claim 7, Koo discloses a count unit counting a lapse of time and a lapse of a predetermined time (fig. 12).

Regarding claim 12, Koo discloses an electronic apparatus comprising a main body 10 operable in a first state and a second state, a display unit, a first position and a second position (fig. 1), a detection unit (see fig. 1), a light emission unit 42, 44, 46, 190A, 192, 194 emitting a light of a first color or a second color, a control unit 160 (column 6, lines 15-50, col. 8, lines 20-45, col. 9, line 1- col. 10, line 5).

Regarding claim 13, Koo discloses an electronic apparatus comprising a main body 10, a display unit, a first position and a second position (fig. 1), a detection unit (see fig. 1), a light emission unit 42, 44, 46, 190A, 192, 194 emitting a light of a first color or a second color, a count unit and the apparatus controlling the light emission unit not to emit the light when the count unit counts a lapse of a predetermined time (fig. 12).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koo in view of Skinner.

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Regarding claims 8-9, Koo discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose a starting state, a shutdown state, and a suspended state. Skinner teaches the use of a starting state, a shutdown state, and a suspended state (col. 4, lines 30-65). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a starting state, a shutdown state, and a suspended state to the apparatus of Koo as taught by Skinner for the purpose of indicating different states of the electronic device.

Regarding claim 10, Koo discloses the power switch being disposed on an upper surface of the main body (fig. 4).

Regarding claim 11, Koo discloses a display unit, a first position and a second position (fig. 1), and a detection unit (see fig. 1).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gettemy and Kanaya disclose computer systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**ANH V. LA**  
**PRIMARY EXAMINER**

Anh V La  
Primary Examiner  
Art Unit 2636

AI  
June 22, 2005